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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,983	11/02/2001	Marc A. Desbiens	1028-005US01	3486
28863	7590	03/16/2006	EXAMINER	
SHUMAKER & SIEFFERT, P. A. 8425 SEASONS PARKWAY SUITE 105 ST. PAUL, MN 55125			PARDO, THUY N	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,983

Applicant(s)

DESBIENS ET AL.

Examiner

Thuy Pardo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-12 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/20/02; 6/17/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's Application filed on November 02, 2001 has been reviewed.
2. Claims 1-12 have been presented for examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. For instance, the content of these claims does not constitute a statutory process, machine, manufacture or composition of matter in which the statutory process must result in a physical transformation.

Claim Rejections - 35 USC § 102

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by C.J. Date, 7th edition, 2000, chapter 21, "Decision Support".

As to claim 1, Date teaches the invention substantially as claimed, comprising:
a modeling step to create a planning cube and set up relationships between users and data [pages 711-715, “Dimensional Schemas”]; and
a using step to delegate planning and coordinate the passing of data [pages 715-720, “Online Analytical Processing”].

Allowable Subject Matter

5. Claims 2-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 2, the feature that the modeling step comprises the following steps: a) defining one or more dimensions describing the structure of an enterprise; b) defining one or more user classes; c) mapping said user classes to the levels in the structures identified by said one or more dimensions to produce an organisation object; d) creating a cube from said planning data repository; and e) creating a plan from said cube, thereby assigning ownership; and the using step comprises the following steps: for each contributing manager or contributor as identified by said organisation object: f) delegating said plan by a superior manager, who may be a plan manager or contributing manager, to a delegated contributing manager or a contributor; g) incorporating changes generated by said delegated contributing manager or said contributor to data within said plan thereby creating a proposal; h) passing by said delegated contributing

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manager or said contributor of said proposal to said superior manager; and i) accepting or rejecting by said superior manager of said proposal, taken together with other limitations of claim 1 was not disclosed by the prior art of record.

Claims 3-7 being further limiting to claim 2 are also objected to.

Claims 8-12 are allowed over the prior art of record.

The following is an Examiner's Statement of Reasons for Allowance:

The prior art of record fails to teach or suggest individually or in combination For each contributing manager or contributor as identified by said organisation object: g) delegating said plan or sub-plan by a superior manager, who may be a plan manager or contributing manager, to a delegated contributing manager or contributor; h) incorporating changes generated by said delegated contributing manager or contributor to data within said plan thereby creating a proposal; i) passing said proposal to said superior manager using said delegation object to ensure validity of said proposal; and j) accepting or rejecting by said superior manager of said proposal, the accepting of said proposal being followed by the steps of including said proposal in said superior manager's proposal and the rejecting of said proposal being followed by the step of sending said proposal back to said delegated contributing manager or contributor for further consideration as set forth in independent claims 8-12.

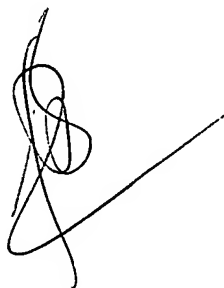
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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo whose telephone number is 571-272-4082. The examiner can normally be reached on Mon-Thur.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 09, 2006

A handwritten signature in black ink, appearing to be 'Thuy N. Pardo', with a long horizontal stroke extending to the right.

THUY N. PARDO
PRIMARY EXAMINER